

Serial No.: 09/718,290
Attorney Docket No.: 10002934-1

REMARKS

In response to the Office Action dated April 29, 2004, claims 10, 19, 28 and 37 have been amended. Claims 10, 13-15, 17-19, 22-24, 26-28, 31-33, 35-37, 40-42 and 44-49 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

Record is made of a telephonic interview between Applicants' attorney Edmond A. DeFrank and Examiner S. Rayyan on July 20, 2004. The Office Action of April 29, 2004, the cited references and the pending claims were briefly discussed. A proposed amendment modifying claims 10, 19, 28 and 37 was discussed during the interview. Although no agreement was reached, the above amendments to the claims reflect the discussion between the Examiner and the Applicants' attorney during the interview.

The Office Action rejected claims 10, 13-15, 17-19, 22-24, 26-28, 31-33, 35-37, 40-42 and 44-49 under 35 U.S.C. § 112, second paragraph. The Examiner stated that the "[R]egarding claims 10, 19, 28, 37 the limitations 'transmitting at least a portion of the reader profile information for display to the reader' and 'the reader profile information includes one or more type of denied data that is transmitted to the reader for display' are contradictory." The Examiner argued that she "found a teaching for displaying 'pertinent profile information' with the content, the pertinent profile information being provided so that the reader knows why he is receiving the content. The reader would not receive content associated with the denied data. The pertinent profile information would therefore not contain the denied data."

In response, the Applicants have amended the claims to more clearly define the invention. In addition, the Applicants respectfully disagree with these statements and submit that the specification states on lines 24-25 of page 13 that "...various embodiments of the invention may allow readers to at least view any content profile information..." [*emphasis added*]. As explicitly stated in the specification on lines 15-18 of page 13, "[B]y providing the interface along with the pertinent profile information, the content delivery system 10 of the invention not only assuages concerns readers may have regarding their privacy, but also empowers readers to correct inaccurate or incorrect profile information." This allows users to "...modify his or her profile information...", if desired. Thus, the Applicants submit that the rejection under 35 U.S.C. § 112 is overcome in light of the

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amendments to the claims and the arguments above.

The Office Action rejected claims 10, 17-19, 26-28, 35-37, 44-49 under 35 U.S.C. § 103(a) as being unpatentable over Dasan (U.S. Patent No. 5,761,662) and Hoyle (U.S. Patent No. 6,141,010) in view of Ellis et al. (U.S. Patent Publication No. 2003/0020744). Next, the Office Action rejected claims 13-14, 22-23, 31-32 and 40-41 under 35 U.S.C. § 103(a) as being unpatentable over Dasan (U.S. Patent No. 5,761,662) and Hoyle (U.S. Patent No. 6,141,010) and Ellis et al. (U.S. Patent Publication No. 2003/0020744) in view of Guyot et al. (U.S. Patent No. 6,119,098). Last, the Office Action rejected claims 15, 24, 33 and 42 under 35 U.S.C. § 103(a) as being unpatentable over Dasan (U.S. Patent No. 5,761,662) and Hoyle (U.S. Patent No. 6,141,010) and Ellis et al. (U.S. Patent Publication No. 2003/0020744) in view of Headerick et al. (U.S. Patent No. 6,557,006).

The Applicants respectfully traverse these rejections based on the arguments below. Specifically, the cited references, when combined, are missing the Applicant's claimed element of "...transmitting at least a portion of the reader profile information for display to the reader, wherein the reader profile information includes one or more type of denied data that is transmitted to the reader for display during transmission of at least a portion of the reader profile information to allow the reader to modify incorrect denied data profile information ..."

Although the Examiner argued that Dasan teaches "receiving a display of profile information..." and Ellis et al. teaches "...profile information includes one or more types of denied data...", clearly, the combined references do not disclose, teach or suggest the Applicant's claimed "...transmitting...a portion of the reader profile information...wherein the reader profile information includes...denied data that is transmitted to the reader for display during transmission of...the reader profile information to allow the reader to modify incorrect denied data profile information ..."

Instead, Dasan simply discloses the ability to display general information and topics found related to the user's profile (see col. 7, lines 52-54, col. 8, lines 26-40 and FIG. 11 of Dasan), but not denied data profile information that is transmitted to the reader to allow the reader to modify incorrect denied data profile information, like the Applicant's claimed invention. In addition, Ellis et al. merely discloses allowing a user to define preference "...levels that may be used to indicate the user's interest or disinterest

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in a given preference attribute." (see paragraphs 90 and 94 of Ellis et al.). However, unlike the Applicant's claimed invention, these "disinterested" or "illegal" preferences in Ellis et al. are not transmitted for display to the reader to allow the reader to modify incorrect denied data profile information. Hence, the combination of Dasan with Ellis et al. does not disclose all of the elements of the Applicants' claims, and thus, cannot render the Applicants' invention obvious.

With regard to the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly request the Examiner to telephone the Applicants' attorney at (818) 885-1575. Please note that all mail correspondence should continue to be directed to

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Respectfully submitted,
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